

REMARKS

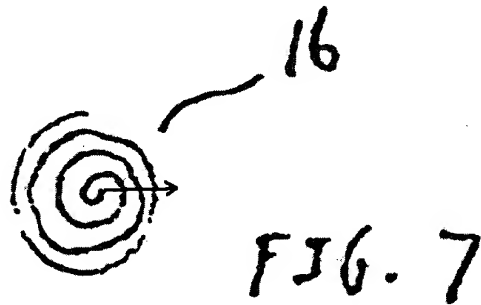
The application was filed with 21 claims. A new claim 22 is added in this amendment, so that claims 1-22 are now pending for examination in the application.

The disclosure was objected to on the basis of various informalities. Those are corrected above in this amendment.

Applicant appreciates the Examiner's acknowledgement of allowable subject matter in claims 1-19. Various informalities cited by the Examiner are corrected in this paper, and Applicant submits that those amendments place claims 1-19 in condition for allowance. The amendments are solely to correct the form of claims 1-19. Claims 1-19 are not narrowed by the amendments, and no estoppel should be inferred or applied.

Claim 20 was rejected under section 102 based on the Bigelow reference. As amended, claim 20 requires "a flat sheet of spring-like material" with "openings [that] are configured for engagement with a tool configured to roll the patch into a cylindrical coil." Bigelow describes such a sheet with openings at its edges, and depicts the sheet rolled to form a cylinder. Though Bigelow's cylinder does overlap itself somewhat at the flat sheet's edges (see *Bigelow*, Fig. 2), it is at least debatable whether it is fair to call Bigelow's slightly-overlapped configuration "a cylindrical coil."

To more clearly distinguish the invention of claim 20 over Bigelow, though, the claim has been amended to require that the cylindrical coil comprises "at least *three overlapping layers* of the material." This feature is disclosed in Fig. 7 of the application, an enlargement of which is reproduced here.



A ray has been added to this drawing extending from the center of the coil outward to the right. This ray passes through at least three layers of the coil,

illustrating a configuration in which the coil comprises at least three overlapping layers. Such is not true of Bigelow's cylinder, and no such configuration is described, depicted, or suggested in any other reference of which Applicant's counsel is currently aware. Applicant contends that claim 20 is thus patentable, along with claim 21, which depends directly from it.

The same is true of new claim 22, a method claim that requires "rolling the sheet into a cylindrical coil comprising at least three overlapping layers."


In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, and the consequent allowance of claims 1-22, are thus respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is invited to call the undersigned attorney at the Los Angeles, California telephone number (213) 337-6711 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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